REMARKS

Claims 1, 3-6, 8-23, and 25-34 are pending. Claims 1, 3, 6, 8, 11, 12, 17, 22, 23, 25, 28, and 29 have been amended, claims 2, 7, and 24 have been canceled, and new claims 32-34 have been added to recite additional features of the embodiments disclosed in the specification.

Reconsideration of the application is respectfully requested for the following reasons.

In the Office Action, claims 1-16 and 22-27 were rejected under 35 USC § 112, second paragraph, on grounds that the phrase "of a type" renders these claims vague and indefinite. This phrase has been removed from the claims.

Claim 22 recite that data transmission to the receiving terminal is performed based on a circuit network transmission method. This recitation is not inconsistent with the indication in base claim 17 that the data has passed an uplink radio section. See, for example, Figure 2, wherein a data block containing an uplink error is transmitted, first, through uplink radio section 2 and, then, through circuit network 3. Applicants therefore submit that the subject matter of claim 22 is clear when read in light of the specification.

Withdrawal of the § 112 rejection is respectfully requested for the foregoing reasons.

Claims 1, 3-5, 23, and 25-27 were rejected under 35 USC § 102(b) for being anticipated by the Sellin patent. This rejection is traversed for the following reasons.

Claim 1 has been amended to recite "performing a concealment operation on the error data block when the error data block is transmitted to and judged to be CRC fail in the receiving

side." These features correspond to those originally recited in claim 2, which the Examiner indicated to be allowable. Accordingly, it is submitted that amended claim 1 and its dependent claims are allowable.

Claim 3 recites that the CRC code has a "predetermined bit pattern which causes the downlink section to exclude the data block from being used as a basis for performing a downlink power control operation." (See, for example, Paragraph [25] for support) These features are also not disclosed by the Sellin patent.

Claim 23 recites that "a processor at the receiving side performs a concealment operation on the error data block when the error data block is transmitted to and judged to be a CRC fail." These features correspond to those originally recited in claim 24, which the Examiner indicated to be allowable. Accordingly, it is submitted that claim 23 and its dependent claims are allowable.

Claims 6 and 8-10 have been rejected under 35 USC § 103(a) for being obvious in view of a Sellin-Ohmi combination. This rejection is traversed for the following reasons.

Claim 6 has been amended to recite the additional steps of "generating a CRC fail based on detection of the CRC code" and "performing a concealment operation on the error data block based on the CRC fail using the image application." These features are similar to those recited in allowable claims 2 and 24. Accordingly, it is submitted that claim 6 and its dependent claims are allowable.

Claim 8 recites that the CRC code has a "predetermined bit pattern which causes the downlink section to exclude the data block from being used as a basis for performing a downlink

power control operation." These features are not taught or suggested by Sellin or Ohmi, whether taken alone or in combination.

Claim 7 was rejected for being obvious in view of a Sellin-Ohmi-Suma combination. This rejection is traversed on grounds that the Suma patent does not teach or suggest the preventing step added by amendment to claim 6.

Claims 11-22 and 28-31 were rejected under 35 USC § 103(a) for being obvious in view of a Sellin-Suma combination.

Claim 11 recites the steps of "generating a CRC fail based on detection of the CRC code" and "stopping a decoding operation on the data block and performing a concealment operation based on the CRC fail." These features are not taught or suggested by the Sellin and Suma patents, whether taken alone or in combination. Applicants therefore submit that claim 11 and its dependent claims are allowable.

Claim 17 recites "blocking transmission of the data block without inserting a substitute data block" and "determining that the data block has not been timely received by the receiving side based on an undetected transmission sequence number corresponding to the data block." (See, for example, Pages 9-11 of the specification for support).

The Sellin patent discloses that when a data block is detected to have an uplink error, the data block is replaced with one that was received without errors. (See column 5, lines 20-40). In contrast, the method of claim 17 blocks transmission of the data block without inserting any substitute data block.

Further, the receiving side determines that the data block is not timely received based on an undetected transmission sequence number corresponding to the data block. The Sellin patent does not teach or suggest these features, i.e., since Sellin transmits a replacement data block, the receiving side will not detect a gap in the transmission sequence numbers of data blocks that it has received. Accordingly, the Sellin receiving side will not perform the steps added by amendment to claim 17.

The Suma patent also fails to teach or suggest these features.

Accordingly, it is submitted that claim 17 and its dependent claims are allowable over a Sellin-Suma combination.

Claim 28 recites that the controller blocks transmission of the data block without inserting a substitute data block, wherein blocking transmission of the data block generates a missing transmission sequence number that is detectable relative to other data blocks that are transmitted. As indicated above, these features are not taught or suggested by the Sellin and Suma patents, whether taken alone or in combination.

Claim 29 recites a detector at a receiving side that "determines that the data block corresponding to the missing transmission sequence number has not been timely received." These features are not taught or suggested by Sellin or any of the secondary references.

New claims 32-34 have been added to the application. Each of these claims recites, depending from different base claims, that detection of the CRC code on the receiving side prevents the data block from being used as an index for determining an operating state of a

downlink section at the receiving side. (See, for example, Paragraph [25] of the specification for support.) The Sellin patent does not disclose these features.

The Sellin patent discloses a system which detects an error in a data block transmitted from a mobile terminal to a base station, inserts a CRC code into the data block in a field 307, and transmits the data block and code to a receiving side. (See column 5, lines 1-19). However, Sellin does not teach or suggest that detection of the CRC code on its receiving side "prevents the data block from being used as an index for determining an operating state of a downlink section at the receiving side."

The Suma and Ohmi patents also fail to teach or suggest these features. Accordingly, it is submitted that new claims 32-34 are allowable, not only by virtue of the features recited in their base claims but also based on the features separately recited therein.

In view of the foregoing amendments and remarks, it is respectfully submitted that the application is in condition for allowance. Favorable consideration and prompt allowance are earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this, concurrent and future replies, including extension of time fees, to Deposit Account 16-0607 and please credit any excess fees to such deposit account.

Respectfully submitted,
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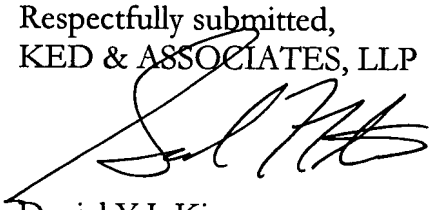

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